

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

V.

VICTOR BARNETT LANE,

Defendant.

CASE NO. 2:24-mj-00793

DETENTION ORDER

The Court has conducted a detention hearing under 18 U.S.C. § 3142(f) and concludes there are no conditions which the defendant can meet which would reasonably assure the defendant's appearance as required or the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

Defendant is charged by grand jury indictment in the District of New Mexico with Coercion and Enticement of a Minor; Interstate Travel with the Intent to Engage in Illicit Sexual Conduct with a Minor, Production of a Visual Depiction of a Minor Engaged in Sexually Explicit Conduct. Defendant is charged with offenses that carry a presumption that he is both a risk of flight and a danger to the community.

The serious nature of the allegations and the potential penalties Defendant faces weigh against release. The allegations do not involve simply looking at depictions of minors engaged in sexually explicit conduct but actual sexual contact with a minor. Defendant argues in his brief

1 that the allegations against him amount to “generalized claims” and the Court should not
2 consider the government’s proffer that Defendant admitted to military investigators he had sex
3 with a minor because Defendant is presumed innocent. The Court finds a detention decision can
4 be made based upon evidence that is proffered by the government, and that the government’s
5 proffer does not amount to an insufficient generalized claim that is insufficient to support
6 detention. Indeed, the government proffers Defendant admitted having sexual contact with a
7 minor, and that there are videos of Defendant with a minor. The Court finds this is both specific
8 and compelling evidence that cuts against release.

9 Defendant has no ties to this District and no ties to the District of New Mexico.
10 Defendant argues the Court should release him because he was residing in Korea because he was
11 stationed there. He further argues he has ties to the state of Georgia and requests he be allowed to
12 live with his father. While Defendant does have some tie to Georgia, the Court notes the pretrial
13 report indicates Defendant has a history of serious mental health problems and substance use
14 problems revolving around alcohol. These problems increase the risk that Defendant is a flight
15 risk or a danger to community. As this case was filed in the District of New Mexico, the Court
16 denies release without prejudice.

17 It is therefore **ORDERED**:

18 (1) Defendant shall be detained pending trial and committed to the custody of the
19 Attorney General for confinement in a correctional facility separate, to the extent practicable,
20 from persons awaiting or serving sentences, or being held in custody pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The Clerk shall provide copies of this order to all counsel, the United States Marshal, and to the United States Probation and Pretrial Services Officer.

DATED this 23rd day of December, 2024.


BRIAN A. TSUCHIDA
United States Magistrate Judge